

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 08-419
	:	
v.	:	DATE FILED: September 9, 2008
	:	
MARVIN SUTTER,	:	VIOLATIONS:
a/k/a "Michael Gomez"	:	18 U.S.C. § 1951(a) (interference with
	:	interstate commerce by robbery
	:	- 2 counts)
	:	18 U.S.C. § 924(c)(1) (using and carrying
	:	a firearm during a crime of violence
	:	- 2 counts)
	:	18 U.S.C. § 922 (g)(1) (convicted felon in
	:	possession of a firearm- 1 count)
	:	Notice of forfeiture

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. The Payless Shoe Store located at 4640 East Roosevelt Boulevard # B in Philadelphia, Pennsylvania, was a business engaged in interstate commerce.

2. On or about May 9, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MARVIN SUTTER,
a/k/a "Michael Gomez,"**

unlawfully obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant SUTTER unlawfully took and obtained approximately \$190 from the Payless Shoe Store in the presence of an employee of the Payless Shoe Store and against her will by means of actual and threatened force, violence, and fear of

injury, immediate and future, to the employee of Payless Shoe Store, that is, by pointing a firearm at and demanding money from the employee of Payless Shoe Store.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 9, 2008, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**MARVIN SUTTER,
a/k/a “Michael Gomez,”**

knowingly used and carried a firearm during and in relation to a crime of violence for which he
may be prosecuted in a Court of the United States, that is interference with commerce by
robbery, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. The Quaker City Cab Company, located at 6749 Upland Street in Philadelphia, Pennsylvania, was a business engaged in interstate commerce.
2. On or about May 24, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MARVIN SUTTER,
a/k/a “Michael Gomez,”**

unlawfully obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, in that defendant MARVIN SUTTER unlawfully took and obtained approximately \$50 money from an employee of the Quaker City Cab Company, at 2301 Church Street Avenue in Philadelphia, Pennsylvania, in the presence of an employee of the Quaker City Cab Company against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employee of the Quaker City Cab Company, that is, by pointing a firearm at and demanding money from the employee of the Quaker City Cab Company.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 24, 2008, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**MARVIN SUTTER,
a/k/a “Michael Gomez,”**

knowingly used and carried a firearm during and in relation to a crime of violence for which he
may be prosecuted in a Court of the United States, that is, interference with commerce by
robbery, in violation of Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Sections 924(c)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 9, 2008, through on or about June 4, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**MARVIN SUTTER,
a/k/a “Michael Gomez,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Star Interarms 9mm semi-automatic pistol, bearing serial number 1974295, loaded with 2 rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), set forth in this superseding indictment, defendant

**MARVIN SUTTER,
a/k/a “Michael Gomez,”**

shall forfeit to the United States of America, the firearm and ammunition involved in the commission of such offenses, including, but not limited to a Star Interarms 9mm semi-automatic pistol, bearing serial number 1974295, and 2 rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

LAURIE MAGID
Acting United States Attorney